



## REMARKS

The Examiner rejects claims 1 and 6-8 under 35 USC 103(a) as being unpatentable over Cope in view of EP 0 852 997. Reconsideration is requested.

The present application relates to the use of a separate pre-heater before a heated moulding press – see Figure 1 of the present application. This feature of the present invention is now recited more clearly in the amended set of claims and the independence of the preheater from the heaters in the hot moulding press is supported by the statement in the specification:

*“Surprisingly it has been found that independent heating of the surface prior to hot moulding has an influence on many structural defects caused by the moulding process”.*

The problem addressed by using a preheater is clearly disclosed in the application as filed, e.g. in the technical background section when discussing EP-0 852 997:

*“The die and plate of the press are large massive parts which have a high thermal capacity. Their temperature cannot be changed very quickly. Therefore, upon changing environmental parameters, a non-negligible amount of ornamented plastics profiles will be generated which have camber or production must be stopped until the press has reached equilibrium again.”*

This comment also applies to Cope – the changing of extrusion parameters to alter the temperature of the extruded product is very significant and takes a considerable time.

The advantage provided by the present invention is therefore the rapid changing of the heating effect on the surface by means of a preheater which can be controlled independently of the heaters in the hot moulding press. This reduces the amount of scrap before a good product is obtained.



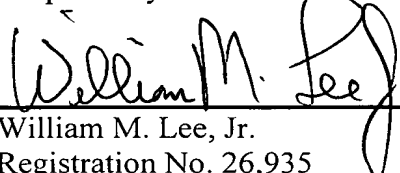
To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings, and the prior art references, when combined, must teach or suggest all the claim limitations. M.P.E.P. § 2143. Also, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). Determination of obviousness cannot be based on the hindsight combination of components selectively culled from the prior art to fit the parameters of the patented invention. *ATD Corp. v. Lydall, Inc.*, 159 F.3d 534, 546 (Fed. Cir. 1998). In the present case none of the references, alone or in combination, teach or suggest Every claim element. Claim 1 recites that the first preheater is separate from the heater of the hot moulding press and that it is the preheater which is used for control. This feature of a separate preheater and the control of this heater to correct defects is not found in the prior art.

Therefore, given the above, it is submitted that the claims distinguish from the prior art and are allowable thereover. The Examiner's further and favorable reconsideration is urged.

As this response is being sent during the fourth month following the Examiner's Office Action, an appropriate petition for extension of time is also submitted herewith.

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Respectfully submitted,



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